

Resolution No.: 16-473

Introduced: March 11, 2008

Adopted: March 11, 2008

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Extension of time for Council action on a Franchise Agreement with Cavalier IPTV, LLC for Cable Television Service

Background

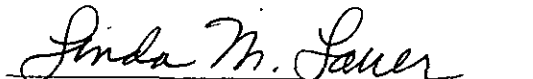
1. Chapter 8A of the County Code governs franchise agreements for cable systems. In evaluating an application for a new cable franchise, the County must consider:
 - a) the applicant's character; and technical, financial, and legal qualifications to construct and operate the proposed system;
 - b) the nature of the proposed facilities, equipment, and services;
 - c) the applicant's record of cable performance in other communities, if any; and
 - d) whether the proposal will serve the public interest.
2. Under §8A-9(k), the Council may, within the applicable time provided in §8A-28(d): grant the franchise; grant the franchise with conditions, which may modify or override any provision of the proposed franchise agreement; remand the franchise agreement to the Executive with specific recommendations to renegotiate any provision of the proposed franchise agreement and submit a revised agreement to the Council for approval; or deny the application for a franchise.
3. Under §8A-28(d), any action by the Executive that requires approval of the Council is deemed approved by the Council unless disapproved within 60 days after the Council receives the County Executive's recommended action, not including any week when the Council does not meet in regular session. §8A-28(d) allows the Council to extend the deadline for action for one additional 60-day period.
3. On December 21, 2007, the Council received the Executive's recommendation to grant a franchise to Cavalier IPTV, LLC for a 15-year cable television franchise.
4. Deadline for Council action on the franchise agreement is March 14, 2008.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Council extends the time for action on a franchise agreement with Cavalier IPTV, LLC for cable television service to May 13, 2008.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council